United Nations A/C.3/67/SR.46

General Assembly
Sixty-seventh session

Official Records

Distr.: General
29 January 2013

Original: English

Third Committee

Summary record of the 46th meeting
Held at Headquarters, New York, on Tuesday, 27 November 2012, at 3 p.m.

Chair: Mr. Mac-Donald ..... (Suriname)

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The meeting was called to order at 3.30 p.m.

Agenda item 69: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/67/L.52*)

Draft resolution A/C.3/67/L.52: Situation of human rights in the Syrian Arab Republic*

1. **The Chair** said that a recorded vote had been requested on the draft resolution.

2. **Ms. Smaila** (Nigeria) said that during the 2006 Human Rights Council review it had been clearly understood that the Council should avoid politicization, subjectivity, double standards and the "naming and shaming" of States on the pretext of promoting human rights. Since the General Assembly and the Council should be both vigilant and objective in upholding human rights, country-specific resolutions should be redemptive rather than punitive, help the victims of violations and be applied sparingly, on a case-by-case basis. They should respect national sovereignty and have terminal dates to prevent them from becoming repetitive and losing their corrective value.

3. Her delegation was concerned about the draft resolution because it held only one side in the Syrian conflict to account. A selective resolution would embolden one side and render the other intransigent. Only a lasting solution led by the Syrian people without external pressure would be effective. Her delegation called on all sides to respect the people's rights, seek a just and peaceful settlement, and work with the Joint Special Representative for Syria to that end.

4. **Ms. Hosking** (South Africa) said that her country had been erroneously recorded as a sponsor of the draft resolution and asked for the record to be corrected.

5. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela), speaking in explanation of vote before the voting, said that her delegation would vote against the draft resolution because it objected to certain countries' use of human rights to put others on trial while supporting their allies' bombardment of civilians under illegal occupation. Such behaviour reflected a double standard. The draft resolution breached the principles of respectful dialogue, international cooperation, impartiality, non-selectivity and non-politicization, and addressed a matter which should properly be considered by the Human Rights Council through the universal periodic review. Her delegation urged Member States to vote against the draft resolution and avoid the use of human rights as a political tool.

6. **Mr. Khazaee** (Islamic Republic of Iran), speaking in explanation of vote before the voting, said that the selective adoption of country-specific resolutions for political ends undermined the concept that international cooperation was the means of promoting human rights. The universal periodic review was the main intergovernmental mechanism for reviewing human rights at the national level. The General Assembly and Human Rights Council were the pillars in the field of human rights, and should not allow existing mechanisms to be abused by specific countries. His delegation would therefore vote against the draft resolution.

7. **Mr. Butt** (Pakistan) said that his delegation was concerned by the violence in Syria, which had worsened with the advent of terrorism and had assumed sectarian overtones. His delegation had always advocated a peaceful Syrian-led resolution. It supported the Joint Special Representative's efforts and encouraged the international community to do the same. The six-point proposal of former Joint Special Envoy Kofi Annan and the Final Communiqué of the June 2012 meeting of the Action Group on Syria provided a road map for a Syrian-led process, but his delegation was concerned that both sides were choosing force over dialogue. It opposed coercive measures, interference and foreign intervention.

8. The draft resolution held only one side responsible and would lead to the hardening of attitudes, and would thus not help the Joint Special Representative or the resolution of the conflict. His delegation opposed country-specific resolutions, but would have appreciated changes to the text which would have allowed it to support the draft resolution. In the absence of such changes, it would abstain from voting.

9. **Mr. Kim** Song (Democratic People's Republic of Korea), speaking in explanation of vote before the voting, said that his delegation was concerned by the draft resolution, which was not the consequence of alleged violations but an attempt by certain countries to distort the situation and put international pressure on

the Syrian Arab Republic. The sponsors' aim was to change the political system and undermine the legitimately elected Government. His delegation opposed the abuse of the Committee for political ends and would thus vote against the draft resolution.

10. *A recorded vote was taken on draft resolution A/C.3/67/L.52*.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Solomon Islands, Somalia, South Sudan, Spain, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen, Zambia.

Against:

Belarus, Bolivia (Plurinational State of), China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Nicaragua, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Angola, Armenia, Bhutan, Democratic Republic of the Congo, Ecuador, Eritrea, Fiji, Guyana, India, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mozambique, Namibia, Nepal, Nigeria, Pakistan, Philippines, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Tajikistan, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam.

11. *Draft resolution A/C.3/67/L.52* was adopted by 132 votes to 12, with 35 abstentions.*

12. **Ms. Sucuoğlu** (Turkey) said that the crisis in the Syrian Arab Republic was a threat to regional and international peace and security. Turkey shared borders, history and culture with Syria and the Government had always supported its stability, prosperity, territorial integrity and national unity. It would continue to stand by the Syrian people, who should be allowed to decide their own future.

13. **Ms. Belskaya** (Belarus) said that her delegation had always opposed country-specific resolutions and felt that the draft resolution was unbalanced. It was concerned about the continuing civilian casualties and favoured the rapid resolution of the conflict through negotiation. The draft resolution would not help in that regard, and Belarus had therefore voted against it.

14. **Ms. Furman** (Israel) said that the situation of civilians in the Syrian Arab Republic had become more desperate as winter approached. Hundreds of thousands had fled their homes because of the regime, and many were now stranded without shelter, adequate clothing or food. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimated that 3,000 people were leaving the country every day. The number of civilians murdered by the regime had now reached 40,000. Hundreds of children had been arrested, tortured and killed in prison. The daily human rights violations were a threat to peace and security in the Syrian Arab Republic and throughout the region. The Syrian representative's attempts to shift the focus of the discussion to other countries, including Israel, would not distract the world's attention from his Government's crimes.

15. **Mr. Amoros Nuñez** (Cuba) said that most of the available information regarding the situation in the Syrian Arab Republic was partial, imprecise and

manipulated. His Government opposed country-specific resolutions in principle; they were politically motivated and unrelated to human rights. Politicization had led to the disappearance of the Human Rights Commission, whereas the establishment of the Human Rights Council and its universal periodic review allowed the human rights situation of all countries to be considered equally. International cooperation was the only way to promote human rights; since the draft resolution did not further such cooperation, his delegation had voted against it.

16. **Mr. Fiallo** (Ecuador) said that his delegation was concerned by the deteriorating human rights situation in the Syrian Arab Republic and insisted that those responsible for the violence should be punished. The text did not pay sufficient attention to all those responsible, polarizing the conflict without contributing to a solution involving all Syrians, which would lead to peace and respect for Syrian sovereignty.

17. The Human Rights Council was the body responsible for addressing all human rights matters. Presenting a draft resolution to the Third Committee served only to politicize the question and did not help the victims. His delegation had therefore abstained from the vote.

18. **Mr. Wolfe** (Jamaica) said that his delegation shared the concern over the loss of life resulting from the Syrian conflict, the impact on vulnerable groups, and the growing numbers of refugees and internally displaced persons. Since the Syrian Government was primarily responsible for protecting its citizens and addressing the humanitarian crisis, his delegation had voted in favour of the resolution, but felt that, given the regional and international security implications of the civil war, it should have been brought before the Plenary of the General Assembly.

19. His delegation would have liked a paragraph to be included urging the opposition to cease hostilities in order to facilitate an inclusive Syrian-led political solution, as suggested in the six-point programme. It also had reservations about the paragraphs welcoming regional initiatives about which his delegation had no information. It did not condone calls for regime change implied in the draft resolution.

20. **Mr. Ja'afari** (Syrian Arab Republic) said that the number of delegations which had voted against the draft resolution and those which had stated that the lack of balance in the text needed to be remedied showed that many Member States were aware of the situation in the Syrian Arab Republic. Although his Government did not deny the existence of the crisis, it rejected the idea that other countries had the right to make pronouncements on human rights in the Syrian Arab Republic, rather than providing assistance. The motivation of the sponsors was political; they aimed to "name and shame" his Government while funding terrorists to conduct massacres which increased the suffering of the Syrian people and led to the displacement of refugees to neighbouring countries. Only political motivation could explain the economic sanctions imposed, their involvement in terrorism and their hosting of a conference of terrorist groups which had rejected the Joint Special Representative's peace efforts and the former Joint Special Envoy's six-point programme.

21. Certain States had taken positions as a result of political, economic or financial pressures, a poor reflection on their commitment to the Charter of the United Nations. The Syrian Arab Republic suffered from terrorism at the hands of many foreign nationals who were funded through Persian Gulf oil revenues, trained and allowed to enter Syria by Turkey, and politically supported by European countries. That approach would backfire on the sponsors and on those who trained the terrorists.

22. Although there was no sin greater than the oppression of innocent people in the name of religion, the sponsors were pushing terrorist groups to conduct massacres, loot hospitals, seize border crossing points and smuggle armed terrorists from Turkey into the Syrian Arab Republic in the name of God, under the eyes of the Turkish army. His Government was keen to maintain its special cultural relationship with the Turkish people but rejected Turkish Government intervention in Syrian affairs, which would set the entire region ablaze.

23. In response to the statement by the representative of Israel, he said that even Israeli historians had acknowledged that all leaders of the Zionist entity in Palestine had been terrorist chiefs, some of them wanted under the British Mandate. The United Nations had adopted hundreds of resolutions condemning Israeli leaders and terrorist groups. The region needed peace, not the undermining of the Palestinian people's aspirations or the occupation of the Golan Heights and southern Lebanon.

24. **Mr. de Séllos** (Brazil) said that his delegation had voted in favour of the draft resolution; he reiterated its call for an immediate end to violence in the Syrian Arab Republic. Military action would not resolve the crisis; he therefore urged all parties to comply with their human rights obligations and international law. The Syrian Government was responsible for stopping the violations, punishing the perpetrators and protecting vulnerable groups. All parties involved should resume political dialogue to end the conflict.

25. His Government had supported the efforts of the Human Rights Council and the General Assembly, but regretted the lack of results thus far. It called on the Syrian authorities to comply with the Council's resolutions and cooperate with the International Commission of Inquiry on Syria and the Joint Special Representative. More Syrian Government engagement in dialogue could lead to a more objective approach to the human rights situation. The report of the Commission of Inquiry had contained references to the negative effects of unilateral sanctions and acknowledgement that opposition armed groups had committed war crimes.

26. The international community should support all efforts to end the violence and achieve a Syrian-led solution. The transition should be inclusive, comprehensive, and mindful of ethnic and religious differences. Brazil was home to a large community of Syrian origin and therefore favoured a solution which respected the will of the Syrian people.

27. **Ms. Loew** (Switzerland) said that her delegation was very concerned by the situation in the Syrian Arab Republic and welcomed the adoption of the draft resolution with broad support. It regretted the non-inclusion of the references it had requested to the importance of respect for international humanitarian law and the need to refer the situation to the International Criminal Court, the body best placed to deal with such crimes, since the competent authorities had done nothing to pursue the perpetrators. The violence needed to end so that civilians would stop paying the price of the conflict.

28. **Mr. Sparber** (Liechtenstein) said that, as the alarming situation in the Syrian Arab Republic warranted the urgent attention of the Committee and the Security Council, his delegation had joined the sponsors. The draft resolution, however, should have referred more explicitly to the need for all parties to respect humanitarian law, in particular the Geneva Conventions, and to be held accountable for crimes. His delegation hoped that future resolutions would be based on a transparent and open-ended process.

Agenda item 27: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/67/L.9/Rev.1 and A/C.3/67/L.10/Rev.1)

Draft resolution A/C.3/67/L.10/Rev.1: Realizing the Millennium Development Goals and other internationally agreed development goals for persons with disabilities towards 2015 and beyond

29. **Mr. Gustafik** (Secretary of the Committee), presenting a statement of programme budget implications in accordance with rule 153 of the rules of procedure of the General Assembly, said that the request in paragraph 9(b) of the draft resolution would require additional resources of $50,900 in 2013 for the production of one 8,500-word document in the official languages by the Department of General Assembly and Conference Management. Since no corresponding provisions had been made in the 2012-2013 programme budget, additional requirements would arise under section 2. Every effort, however, would be made to absorb the additional cost within existing resources and to report thereon in the second performance report for 2012-2013.

30. **Ms. Hernando** (Philippines) said that Andorra, Armenia, Austria, Belgium, Bulgaria, Canada, the Comoros, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Greece, Hungary, India, Ireland, Italy, Japan, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mexico, Mongolia, the Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Qatar, the Republic of Korea, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay had joined the sponsors of the draft resolution.

31. The draft resolution was a contribution to the preparations for the September 2013 high-level meeting of the General Assembly on a disability-inclusive development agenda beyond 2015. It focused

on the need for comparable data and statistics to improve policy.

32. Her delegation believed that the text was balanced and represented a broad consensus. It had not anticipated the statement of programme budget implications and, having checked with the Department of Economic and Social Affairs, proposed to revise the draft resolution by inserting the words "within existing resources" at the end of paragraph 9(b).

33. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Azerbaijan, Belarus, Bolivia (Plurinational State of), Bosnia and Herzegovina, Chile, Côte d'Ivoire, the Dominican Republic, the Gambia, Georgia, Haiti, Jamaica, Kyrgyzstan, Liberia, Mali, Montenegro, Morocco, Namibia, Nicaragua, the Republic of Moldova, San Marino, Senegal, Serbia, South Sudan, Tunisia, Uganda and Ukraine had joined the sponsors.

34. *Draft resolution A/C.3/67/L.10/Rev.1, as orally revised, was adopted.*

Draft resolution A/C.3/67/L.9/Rev.1: Towards a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons

35. **The Chair** said that the draft resolution had no programme budget implications.

36. **Mr. Escalante Hasbún** (El Salvador) said that Belize, Costa Rica, Dominica, Haiti, Panama, Senegal, South Africa, Sri Lanka, Turkmenistan and Venezuela (Bolivarian Republic of) had joined the sponsors of the draft resolution.

37. He presented a number of oral amendments to the text. In the third preambular paragraph, the word "and" should be inserted after the words "Economic and Social Council", the words "and the Commission on the Status of Women" should be deleted, and the words "as well as of the Commission on the Status of Women, as appropriate" should be inserted at the end of the paragraph. The seventh preambular paragraph should be deleted. In the ninth preambular paragraph, the words "the majority of" should be inserted between the words "essential contribution that" and "older men and women".

38. The thirteenth preambular paragraph should read "*Noting* the reports of the Open-ended Working Group on Ageing and welcoming the report of the United Nations High Commissioner for Human Rights on the human rights situation of older persons, which states that dedicated measures to strengthen the international protection for older persons are called for without further delay, including a new dedicated international instrument".

39. The beginning of paragraph 1 should now read "*Decides* that the Open-ended Working Group on Ageing, which shall be open to all Member States and observers of the United Nations, shall", and thereafter continue as in the existing draft text.

40. Paragraph 3 should now read "*Invites* States and relevant bodies and organizations of the United Nations system, including relevant human rights mandate holders and treaty bodies and the regional commissions, as well as intergovernmental organizations with an interest in the matter, to make contributions to the work entrusted to the Open-ended Working Group on Ageing, as set out in paragraph 1 above, and also invites relevant non-governmental organizations to contribute, as appropriate, based on the modalities for participation agreed by the Open-ended Working Group on Ageing". It should be accompanied by a footnote referring the reader to A/AC.278/2011/2, the February 2011 report of the Open-ended Working Group on Ageing on its organizational session.

41. He urged the Committee to adopt the draft resolution by consensus.

42. **Mr. Gustafik** (Secretary of the Committee) said that Gabon had joined the sponsors of the draft resolution.

43. **The Chair** said that a recorded vote had been requested.

44. **Mr. Escalante Hasbún** (El Salvador) asked which delegation had requested the recorded vote.

45. **The Chair** said that the vote had been requested by the delegation of the United States of America.

46. **Ms. Loew** (Switzerland), speaking also on behalf of Norway in explanation of vote before the voting, said that her delegation agreed that there was a need to focus on the protection of older persons but was not convinced that a new global regulatory framework was required. A new convention would not fill the implementation, monitoring and information gaps observed at the recent meeting of the Working Group.

Her delegation preferred to make better use of existing mechanisms rather than create a new one. All United Nations human rights instruments protected older persons, leaving no normative gaps. The proposed convention was premature because alternatives had been proposed within the Working Group and the Committee which should be explored further. Her delegation regretted that the main sponsors had not taken its concerns into account in the text. It would therefore abstain from voting on the draft resolution.

47. **Ms. Robl** (United States of America), speaking in explanation of vote before the voting, said that the Group of 77 and China had proposed draft resolution A/C.3/67/L.13 on the follow-up to the Second World Assembly on Ageing, which anticipated synergies between the Working Group and the Madrid International Plan of Action on Ageing and was expected to be adopted with strong support. Draft resolution A/C.3/67/L.9/Rev.1, in contrast, gave the Working Group a mandate to present a proposal regarding a new instrument on older persons to the General Assembly. It did not take account of the discussions at the 2011 and 2012 sessions of the Working Group, during which no consensus had emerged on whether such an instrument was the best way forward.

48. Older persons' human rights were already protected under existing instruments. There were actions in the short term within the terms of those instruments which should be considered. Scarce resources would be better spent on implementing rights under the existing framework than on negotiating a new document and diverting funds from the more immediate needs of older persons. Her delegation would therefore vote against the draft resolution.

49. **Mr. Makriyiannis** (Cyprus), speaking in explanation of vote before the voting, also on behalf of the European Union and its member States, said that those States were fully committed to the human rights of older persons and aware of the serious challenges they faced. While the attempt to strengthen the rights of older persons was appreciated, the European Union did not share the view that a new universal convention was the way forward. There was no doubt that serious protection and implementation gaps existed. However, they were not of a normative nature; consequently, a new standard-setting process was unnecessary. Moreover, all of the existing human rights instruments also covered and protected older persons without discrimination. International, regional and national efforts should instead be concentrated on more effective implementation of existing standards and mechanisms. Furthermore, creating another convention would increase the pressure on an already-overburdened and underfunded treaty body system.

50. The outcome of the forthcoming review of the Madrid Plan of Action should also be awaited before any decision was taken. The Open-ended Working Group on Ageing had not yet exhausted its comprehensive mandate; discussions should be continued in that framework. The European Union refuted the sponsors' claim that the draft resolution did not affect that mandate — in fact, it would expand the mandate of the Working Group by asking it to consider proposals for an international legal instrument and present the main elements thereof to the General Assembly. The creation of a new legal instrument required international consensus, without which it would lack the solid basis for it to be effective. The probable lack of support for the draft resolution would have a negative impact on the common efforts to uphold the rights of older persons. More time was needed to discuss the proposal at hand. He regretted that the concerns clearly voiced by the European Union and the alternatives proposed during informal consultations had not been reflected in the text. The membership of the United Nations remained divided on the need for a new legal instrument; many were unwilling to start working on a new convention as of 2013. For those reasons, the European Union member States would abstain from voting.

51. *A recorded vote was taken on draft resolution A/C.3/67/L.9/Rev.1, as orally revised.*

In favour:

Bangladesh, Belize, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Cambodia, Chile, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Guatemala, Guinea, Guyana, Haiti, Honduras, Indonesia, Kazakhstan, Lebanon, Malaysia, Maldives, Mali, Mauritius, Mexico, Nauru, Nicaragua, Panama, Paraguay, Peru, Philippines, Senegal, Singapore, South Africa, Sri Lanka, Thailand, Timor-Leste, Togo, Turkmenistan, United Republic of Tanzania,

Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia.

Against:

Canada, Somalia, United States of America.

Abstaining:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, China, Comoros, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mauritania, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Sierra Leone, Slovakia, Slovenia, South Sudan, Spain, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Vanuatu, Yemen, Zimbabwe.

52. *Draft resolution A/C.3/67/L.9/Rev.1, as amended, was adopted by 53 votes to 3, with 109 abstentions.**

53. **Mr. Kumar** (India) said that his delegation believed that the resolution presupposed the outcome of the consultations taking place within the framework of the Open-ended Working Group on Ageing, especially against the backdrop of the review of the implementation of the Madrid Plan of Action. It fully supported all discussions to explore ways and means of identifying and remedying gaps in the implementation of existing provisions of international instruments and looked forward to discussing all possible options and forging consensus upon completion of the review.

54. **Mr. Hisajima** (Japan) said that his delegation had abstained from voting because the Government of Japan had been engaged in United Nations efforts to promote and protect the human rights of older persons, especially in the Working Group. In the Working Group and in negotiations on the draft resolution alike, Japan had stressed the importance of resolving gaps in existing frameworks and of first conducting the review of the Madrid Plan of Action. The draft resolution aimed to create a legal instrument without sufficient consideration by Member States; bearing in mind the ongoing discussions in the Working Group, it was premature and could undermine its activities.

55. **Ms. Teo** (Singapore) said that like many other Member States, Singapore faced the challenges consonant with an ageing population. The Government had therefore implemented a number of strategies and social programmes to ensure proper care for the elderly and supported international efforts. For those reasons, her delegation had voted in favour. However, she noted that negotiations had been difficult, with a number of delegations voicing concern over the need for a specific international legal instrument. She encouraged all parties to continue working towards consensus on developing such an instrument, adopting a results-based approach to addressing the challenges of vulnerable groups. Without that consensus, any international instrument would be ineffective.

56. **Mr. Butt** (Pakistan) said that his country had always supported the establishment of the Working Group, having understood that exhaustive discussions therein would lead to consensus to start work on a treaty or its elements. While sympathizing with the noble views of the sponsors, his delegation considered that the draft resolution was trying to expedite a process without taking into account the views of all Member States. Consensus arrived at through deliberation was the best way forward for any international legal instrument. Accordingly, while it remained fully committed to the protection of older persons, Pakistan had been constrained to abstain from voting.

57. **Mr. Zhange** Guixuan (China) said that his country attached particular importance to the protection of the legitimate rights of older persons. However, China believed that the focus should remain

* The delegation of Argentina subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

on allowing the existing international framework, particularly the Madrid Plan of Action, to play its role. Member States should give due regard to the second review and appraisal of the implementation of that Plan. As to the creation of an international legal instrument, his delegation was of the view that all Member States should respect the mandate of the Working Group and advance future work progressively and by consensus.

Agenda item 28: Advancement of women (*continued*)

(a) Advancement of women (*continued*) (A/C.3/67/L.19/Rev.1 and A/C.3/67/L.20/Rev.1)

Draft resolution A/C.3/67/L.19/Rev.1: Intensification of efforts to eliminate all forms of violence against women

58. **The Chair** said that the draft resolution had no programme budget implications.

59. **Mr. Caboche** (France), speaking also on behalf of the Netherlands, introduced the draft resolution and made some editorial changes. He said that Algeria, Australia, Bolivia (Plurinational State of), Colombia, Djibouti, Iceland, India, Israel, Jordan, Liechtenstein, Maldives, Morocco, New Zealand, the Republic of Korea, Switzerland and the United States of America had joined the sponsors. Some 20 informal consultations had been held, and the resulting text represented the best possible compromise based on all the suggestions made. The draft resolution was a joint framework for combating violence against women, with a series of measures that States must take to protect victims. He acknowledged the flexibility of all delegations and the expertise provided by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). He expressed the hope that, in keeping with past practice, the draft resolution would be adopted by consensus.

60. **Mr. Gustafik** (Secretary of the Committee) said that Albania, Antigua and Barbuda, the Bahamas, Belarus, Belize, Bosnia and Herzegovina, Brazil, Côte d'Ivoire, the Dominican Republic, Gambia, Grenada, Guyana, Haiti, Honduras, Kazakhstan, Kyrgyzstan, Lebanon, Madagascar, Mali, Mauritania, Montenegro, Nigeria, Panama, Papua New Guinea, Paraguay, the Philippines, San Marino, Senegal, South Sudan, Suriname, Swaziland, Togo, Tunisia, Turkey, Uganda, Ukraine and the United Republic of Tanzania had joined the sponsors.

61. **Mr. Elbahi** (Sudan), speaking on behalf of the group of Arab States, said that the group would join the consensus on the draft resolution out of its belief that it was a common international objective, not restricted to one region. Many of its proposals had been taken into consideration by the facilitators, who had displayed great flexibility in their efforts to have a balanced text and to reach consensus on controversial paragraphs, particularly the paragraph pertaining to violence against women by occupation forces. The Arab States had taken important steps to implement their international obligations on the issue, including the Arab Strategy for Combating Violence against Women established by the League of Arab States in 2011. The Strategy focused on the prevention of such violence in armed conflict and on the increasing role of women in conflict resolution, peacekeeping and peacebuilding. The League had also sought to include civil society organizations in domestic and regional protection frameworks.

62. *Draft resolution A/C.3/67/L.19/Rev.1, as orally revised, was adopted.*

63. **Mr. Errazuriz** (Chile), speaking in explanation of position, said that Chile had made substantive progress in eliminating violence against women through preventive and protective measures. The Government had undertaken legal reform regarding women victims of trafficking, which was added to the body of legislation that included laws on domestic violence, family courts and femicide. Standards and laws also made provisions for education programmes, shelters and measures for protecting migrant women who were victims of violence. Believing that to combat the scourge of violence, it was necessary to develop and promote education on equality and respect, greater participation of women in politics and more job opportunities, Chile regretted that some of those elements were not present in the draft resolution. While it would have liked to sponsor the draft resolution, as in the past, it had been unable to do so owing to the introduction of reproductive rights, on which there was no consensus, into the discussion. Chile protected all life from the moment of conception; consequently, it could not interpret any part of the resolution as an acceptance of abortion or a contradiction of its domestic laws. His delegation hoped to continue to contribute actively in advancing the issue, particularly at the next session of the Commission on the Status of Women.

64. **Mr. Butt** (Pakistan) said that, while Pakistan maintained some of its reservations regarding the text, including the amalgamation of the mandate of Security Council resolutions and references to the contribution of religion and culture to violence against women, it had been satisfied with the overall thrust of the draft resolution. On such an important issue, potentially divisive controversial references and unrelated questions should be avoided. The international community must take advantage of its collective commitment to eliminating violence against women and work to strengthen the protection framework and take the necessary steps at policy and implementation levels.

65. **Ms. Phipps** (United States of America), noting the extensive and intertwined health effects of violence against women, said that her country strongly endorsed the draft resolution, which established a critical linkage between sexual and reproductive health and reproductive rights. The United States welcomed the recognition in the resolution of the importance of States' compliance with commitments under the Programme of Action of the International Conference on Population and Development (ICPD) and many subsequent United Nations resolutions, which outlined those rights and provided the foundation for the global effort to eliminate violence. Her country would continue to work to advance the implementation of the Programme of Action, including sexual and reproductive health and rights. To eliminate the many forms of violence that women faced worldwide, it was critical to promote and protect their reproductive rights, including the right to make decisions concerning reproduction without discrimination and coercion. The basic right of all couples to plan their families freely and responsibly was vital for advancing the status of women.

66. **Ms. Khvan** (Russian Federation) said that the Russian Federation had joined the consensus as it attached great importance to combating violence against women, which remained an obstacle to true gender equality. However, her delegation could not agree with some of the formulations in the draft resolution. While all cultures and civilizations had their inalienable traditions, beliefs and customs, with common human values that were the basis of human rights standards, those traditions should contribute to society, not serve to justify violence against women. Traditions that discriminated against women, violated their rights and jeopardized their health must be condemned. Her delegation had repeatedly expressed its views on certain harmful practices and was therefore concerned about the use of the term "harmful customary practices". It was time to reassess the way in the which the United Nations approached the question within the framework of the dialogue of civilizations; distinction should be made between traditions and religions on the one hand, and prejudices and harmful customary practices on the other.

67. While her delegation welcomed the transparent and constructive consultation process and the efforts to take account of the concerns and proposals of all delegations, she nevertheless underscored that the sponsors had not made efforts to understand certain conflicting positions, complicating the negotiations and threatening the consensus. She therefore wished to remind sponsors that theirs was not only a right, but a great responsibility; United Nations resolutions were not the sole property of the sponsors and should therefore reflect the diversity of the Organization's membership.

68. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation had joined the consensus on the draft resolution; protecting women against all forms of violence and guaranteeing all of their fundamental rights were State policies, which had resulted in innovative laws — including an organic law criminalizing 19 forms of violence against women — and in the creation of special courts and Prosecutor's Offices dealing with cases of violence against women and the national Office of the Ombudsperson for Women. However, Venezuela had withdrawn its sponsorship after the inclusion of unnecessary mentions of Security Council resolutions, part of a regrettable tendency of certain States to distort the consideration of agenda items by the Third Committee and the General Assembly. Furthermore, her delegation considered that the very Bretton Woods institutions to which exclusive reference was made in paragraph 25, having imposed failed policies and unjust conditions, were responsible for reductions in States' social expenditure and the poverty and inequality that made women more vulnerable to violence. There were a number of alternative regional and international financial institutions that provided unconditional assistance for relevant national plans. She expressed the hope that the concerns mentioned would be reflected in the draft resolution to be

presented at the sixty-ninth session of the General Assembly.

69. **Reverend Wylie** (Observer for the Holy See) said that his delegation reaffirmed its reservations concerning all references to sexual and reproductive health and, in particular, to the controversial expression "reproductive rights". The 1994 ICPD report had expressly stated that such terminology created no new human rights, that abortion should never be a family planning solution and that it was a matter of national legislation. The Holy See thus reiterated that those terms should never be construed to include access to abortion or to abortifacients, particularly in the context of a draft resolution on eliminating all forms of violence against women, given their vastly disproportionate consequences on girls worldwide. It was also important to recall the provisions of the Convention on the Rights of the Child and the obligations of States to uphold the rights and responsibilities of parents with regard to the upbringing of their children for their individual cultural and spiritual development. His delegation also understood gender to mean male and female, according to customary usage of the term.

Draft resolution A/C.3/67/L.20/Rev.1: Trafficking in women and girls

70. **The Chair** said that the draft resolution had no programme budget implications.

71. **Ms. Hernando** (Philippines), introducing the draft resolution, said that Andorra, Australia, Austria, Bahrain, Belgium, Bolivia (Plurinational State of), Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Grenada, Hungary, India, Ireland, Italy, Latvia, Lebanon, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, the Niger, Paraguay, Peru, Poland, Portugal, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Togo, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America had joined the sponsors. Recalling that the heinous crime of trafficking in persons, particularly women and children, was of such magnitude that national or regional efforts were ineffective, she highlighted the main objectives and action called for in the draft resolution and expressed the hope that the Committee would again adopt the draft resolution by consensus.

72. **Mr. Gustafik** (Secretary of the Committee) said that Albania, the Bahamas, Bosnia and Herzegovina, Brazil, Chile, Côte d'Ivoire , the Dominican Republic, Ecuador, Georgia, Jamaica, Kazakhstan, Liberia, Malawi, Monaco, Montenegro, Nicaragua, Panama, San Marino, Senegal, Serbia , Turkey, Ukraine, Uruguay, and the Bolivarian Republic of Venezuela had joined the sponsors.

73. *Draft resolution A/C.3/67/L.20/Rev.1 was adopted.*

Agenda item 68: Rights of peoples to self-determination (*continued*) (A/C.3/67/L.54)

Draft resolution A/C.3/67/L.54: The right of the Palestinian people to self-determination

74. **The Chair** said that the draft resolution had no programme budget implications.

75. **Mr. Selim** (Egypt) said that since the introduction of the draft resolution, Belarus, Belize, Chile, Congo, Croatia, the Czech Republic, Germany, Ghana, Grenada, Guinea Bissau, Kyrgyzstan, Latvia, Liberia, Mauritius, Mozambique, the Netherlands, Paraguay, Seychelles, Rwanda, Sierra Leone, Tajikistan, Timor-Leste, Ukraine and the United Republic of Tanzania had joined the sponsors. The sponsorship of the draft resolution by 142 Member States reflected the wide support for the inalienable right of the Palestinian people to self-determination, as enshrined in international law and human rights instruments. Self-determination was a right, not a gift, and Palestinians had long awaited international recognition of their rights and backing for an end to Israeli occupation and exploitation of their land. He hoped that Member States would send strong a message of solidarity by adopting the resolution by consensus, thereby contributing to the ultimate realization of the long overdue right to self-determination, with the establishment of a sovereign and viable State of Palestine with East Jerusalem as its capital.

76. **Mr. Gustafik** (Secretary of the Committee) announced that Barbados, the Democratic Republic of the Congo and Guyana had joined the sponsors.

77. **Ms. Furman** (Israel), speaking in explanation of vote before the voting, said that history had shown that peace must be negotiated from within. Only Israelis

and Palestinians, together, could make the difficult compromises needed; only they could create two neighbouring States for two peoples living in lasting peace and security.

78. Despite repeated calls by Israel's Prime Minister for a resumption of direct bilateral negotiations without preconditions, Palestinian leaders had continually placed conditions. Eagerly taking their message to world leaders while refusing discussions with Israel, they were more interested in advancing anti-Israel resolutions at the United Nations than in negotiating peace, as evidenced by the current resolution. Israel had consistently demonstrated its willingness to recognize Palestinian aspirations for self-determination; the Palestinians had yet to recognize Israel as the homeland of the Jewish people and its right to peace and security.

79. Israel's withdrawal from Gaza, uprooting thousands from their homes, had given the Palestinians an opportunity to bring prosperity to the Gaza Strip, to make Palestinian self-determination a reality. Instead, the bloody coup by the terrorist organization, Hamas, had transformed Gaza into an Iranian outpost for terror, whence, over ten years, more than 13,000 Hamas rockets had been fired into nearby Israeli communities, terrorizing one million civilians. That group's actions proved that its desire for the destruction of Israel outweighed its regard for the Palestinian people; by unconditionally embracing Hamas, the Palestinian Authority effectively embraced the consequences of terror.

80. While it was much easier to criticize Israel from afar than to negotiate with it in Jerusalem, that would not benefit the Palestinian people in Ramallah, Nablus, Hebron and Gaza. Israel would vote against the resolution but did not oppose Palestinian self-determination and supported the two-State solution. Clearly, the sponsors were not truly in favour of such a solution; otherwise they would urge Palestinian leaders to stop advancing futile resolutions and to start negotiating with Israel. The conflict would not be solved in New York, but in the Middle East. Israel called on the Palestinian leadership to abandon unilateralism and engage in negotiations.

81. At the request of Israel, a recorded vote was taken on draft resolution A/C.3/67/L.54.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America.

Abstaining:

Cameroon, Honduras, South Sudan.

82. *Draft resolution A/C.3/67/L.54 was adopted by 173 votes to 6, with 3 abstentions.*

83. **Mr. Diaz Bartolomé** (Argentina) said that his delegation welcomed the adoption of the draft resolution and expressed the hope that it would lead to the prompt realization of the right to self-determination of the Palestinian people and to an independent State of Palestine. Argentina recognized the inalienable rights of the Palestinian people and had voted in favour of the resolution, just as it had recognized Palestine as a State in 2010, in a reflection of its desire to promote negotiation towards an end to the conflict and its deep desire for peaceful coexistence among all peoples. He confirmed Argentina's unwavering support for the right of Israel to be recognized by all and to live in peace and security within its borders.

84. Exercise of the right to self-determination presupposed that there was an active subject in the form of a people subject to alien subjugation, domination and exploitation, as defined in resolution 1514 (XV), paragraph 1. Without such a subject, there was no right to self-determination. The Malvinas Islands were unlawfully occupied by the United Kingdom of Great Britain and Northern Ireland, which had expelled the local population and replaced it with its own population, with the result that the right to self-determination did not apply to the question of the Malvinas Islands. However, the other guiding principle of decolonization — territorial integrity — did apply, as established in all relevant resolutions of the General Assembly since 1965 and of the Special Committee on decolonization, which recognized the existence of a special and particular colonial situation between the Governments of Argentina and the United Kingdom, and noted that the way to resolve that sovereignty dispute was through the resumption of bilateral negotiations with a view to finding a just, peaceful and lasting solution as soon as possible, taking into account the interests of the islanders.

85. **Mr. de Sellos** (Brazil) reiterated Brazil's support for the right of the Palestinian people to self-determination. In a recent statement, Heads of State of the Southern Common Market (MERCOSUR) had strongly condemned recent violence and disproportionate use of force which had led to loss of human life. The statement had also urged all parties to cease violence immediately, called for the admission of Palestine as an observer State and urged the Security Council to act according to its mandate and renew efforts to address the Israeli-Palestinian conflict.

86. Brazil regretted Israel's manifest lack of willingness to cooperate in implementing decisions of the Human Rights Council and General Assembly resolutions concerning the Occupied Palestinian Territories; dialogue and cooperation were the only way forward. If other countries singled out by the Council showed similar disregard for its opinions, its effectiveness could be damaged. While he expressed concern for the safety of the Israeli population, the violations suffered by the Palestinians under occupation were a continued obstacle to peace. All parties must respect human rights and international humanitarian law for there to be enduring peace.

87. **Ms. Rasheed** (Observer for Palestine) said that the large number of sponsors of the draft resolution was a testament to the support of the international community for the legitimate right of the Palestinian people to self-determination — a right that had been brutally withheld under Israeli occupation. The overwhelming support sent a clear message to the occupying Power that its violations and contempt of international law would no longer be tolerated and that it was expected comply fully with all of its legal obligations. The resolution was not contrary to peace efforts; rather, it was complementary and vital. It must be reiterated that the right to self-determination had never been one of the permanent status issues, nor would it ever be. It was not to be negotiated, as the representative of the occupying Power would appear to suggest, but a given, inalienable right for all and the sole domain of the Palestinian people.

88. By voting against the resolution, Israel was sending a clear message to the Palestinians that it was not for peace or for the right to self-determination, but rather that it fiercely rejected a real peace settlement based on the existence of two States. For a just peace to be achieved, the basic right to self-determination must be mutually recognized by both parties. She recalled the Palestinian people's historic recognition of Israel's right to exist in 1988, in a compromise in which they agreed to a Palestinian State on only 22 per

cent of its historic lands. In contrast, Israel continued to confiscate more and more land to build illegal settlements and its separation wall in occupied Palestinian territories, including East Jerusalem, further threatening a two-State solution. The occupying Power continued to violate all of the rights of Palestinian people, killing more than 100 civilians — including 13 women and 33 children — in renewed violence the previous week in Gaza.

89. Israel denied the inalienable rights of the Palestinian people, denied Palestine its rightful place among the community of nations and rejected its peaceful efforts to advance the rights of its people. The time had come to hold Israel accountable to the United Nations Charter and the rule of international law to which it was held as a Member State — a privilege too long denied to Palestine and which it had grossly abused. Palestine would not surrender its legitimate national aspirations to realize its rights and achieve peace. The international community must unfailingly uphold the rule of law and not relent regarding Israel's crimes and impunity. The forthcoming vote by the General Assembly on the status of Palestine would be an historic day that would bring the Palestinian people one step closer to achieving fully the ultimate goal of establishing an independent State of Palestine, with East Jerusalem as its capital.

90. **Ms. Walker** (United Kingdom), speaking in exercise of the right of reply, said that her country had no doubt about its sovereignty over the Falkland Islands and its surrounding maritime areas. Her Government attached great importance to the principle of self-determination, as set out in the Charter of the United Nations and the International Covenant on Civil and Political Rights. She reiterated that there could be no negotiations on sovereignty unless and until the islanders so wished. Their democratically elected representatives had clearly asserted, at the most recent session of the Special Committee on decolonization, that they, like any other people, were entitled to exercise the right to self-determination and had no wish to change the Islands' current status. They had reiterated the historical fact that the Falkland Islands had no indigenous people, nor had any civilian population been removed from the Falkland Islands prior to their settlement.

91. **Mr. Díaz Bartolomé** (Argentina), speaking in exercise of the right of reply, recalled his Government's position, as recently expressed by the Argentine President before the Special Committee and the General Assembly, that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentina. As those islands were illegally occupied by the United Kingdom, they were the subject of a sovereignty dispute recognized by a number of international organizations. That occupation had prompted the General Assembly to adopt a series of resolutions, all of which recognized the existence of the sovereignty dispute and urged the two parties to resume negotiations. Similarly, the Special Committee on decolonization and the General Assembly of the Organization of American States had adopted repeated resolutions to that effect.

92. Argentina regretted the attempts by the Government of the United Kingdom to rewrite history with the obvious intention of covering up its 1833 invasion, which Argentina had repeatedly contested. The distortion of facts highlighted the lack of legal certainty with regard to its purported rights relating to the Malvinas Islands. Instead of attempting to refute historical facts it had already acknowledged, the United Kingdom should meet its commitment to resume negotiations.

The meeting rose at 6.20 p.m.